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Problem and project driven cooperation in the French context. Nantes and Pays de la Loire regional governance

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dans F. Hendriks, V. van Stipdonk, P. Tops (eds), *Urban-regional cooperation in the European Union : practices and prospects*, London, Frank Cass, 2005, p. 119-141.

The French system of local and regional government has long been characterised by several features (Mabileau, 1994). The first is the institutional fragmentation without comparison anywhere else in Europe : 36 700 municipalities, as much as in the 14 other EU member states put together. The second is the multiple office holding (*cumul des mandats*) that enabled local politicians, until some limitations were enforced, to be mayors, members of *département* and regional assemblies and MP, and sometimes ministers. This practice was not only a way to extend and secure political control, but also to gain access to the central government's resources in order to implement policies at the constituency level¹. This system gave birth to a specific political breed, the *notables*, those politicians who where outrageously dominating local political spaces because of their personal prestige and their privileged access to central government and administrations. Those *notables* were often competing against each other to gain resources from the central government and to influence national policies (Grémion, 1976). In some way, and this is the third peculiarity of the French local and regional government system, this permanent competition between local and regional politicians has long been seen as an asset for the State's field services, and for the Prefect in the first place. The central government representatives at the field level were able to use this competition to impose some of their choices and priorities. For a long time, all these features have not made cooperation a salient aspect of local and regional

¹ According to Mabileau (1985), France is characterized by a "vertical system" of relationships between local and national political elites. In this system, local and regional politicians have access to the central government by holding multiple offices at the local and national level. This system is the opposite of the "horizontal system", as in the British case, where there is a rigid separation between local and national elites, and the "pyramidal system", reflecting the US and German systems, where national elites are made up of the co-optation of elements of the local and regional elites.

governance. Competition was rather the rule and the 1982 Decentralization reforms did nothing to change this situation.

Nevertheless, things recently changed in France and cooperation managed to nestle in the French local government system. In this paper, we will distinguish two different kinds of cooperation : on one hand, we will deal with **horizontal cooperation**, i.e. forms of cooperation linking authorities of the same territorial level (in this perspective, we will mainly deal with inter-municipal cooperation) ; on the other hand, we will deal with **vertical cooperation**, i.e. forms of cooperation linking authorities of different territorial levels.

The main arguments of this paper are the following. Firstly, the concern for horizontal cooperation came first, it is only very recently that the problem of vertical cooperation arose. The consolidation of horizontal cooperation practices mainly occurred between municipalities and has been crowned with the recent and spectacular reinforcement and/or multiplication of inter-municipal cooperation institutions. Nevertheless, and this is the second main point of the chapter, this cooperation, when it occurred, was not always the result of the creation of strong cooperation institutions but rather the outcome of the collective recognition of common stakes and problems and of the collective work on these common stakes and problems. Cooperation has often been gradual, incremental and problem-driven. The third argument of the chapter is that it is the reinforcement of horizontal cooperation between municipalities that generated the urge for vertical cooperation, mainly between reinforced inter-municipal cooperation institutions on one hand, and *départements* and regions on the other hand. The reinforcement of vertical cooperation occurred along quite the same process, i.e. problems came first, were collectively tackled, but mainly through informal arrangements.

In order to illustrate these points, the chapter presents the tale of a city, Nantes, a region, the Région des Pays de la Loire in the North-Western part of France and a river, the River Loire². The starting point of our case study will be the city level and the incremental, problem-driven forms of cooperation that arose at this level. The consolidation of these cooperation practices gradually led to the creation of a strong inter-municipal institution, the *Communauté urbaine de Nantes*. The emergence of a strong inter-municipal institution raised the problem of its relationships with other local and regional government authorities, namely the *Conseil général de Loire-Atlantique*, at the *département* level, and the *Conseil Régional des Pays-de-la-Loire*, at the regional level. Here again, cooperation practices have been stabilized in order to limit the risk of competition and it is rather a problem-driven form of cooperation that enabled the relationships between the institutions to be stabilized. The River Loire provided the problem.

The chapter will first look at the way in which the question of cooperation was dealt with in the French political and institutional context, emphasizing the fact that, if horizontal cooperation is an old concern in local government, the question of vertical cooperation only appeared recently. In a second part, we will present the case study of the cooperation

² This paper is inspired by a case study carried out during the writing of a PhD about large urban projects in France and Italy, cf. Pinson (2002).

between the city and the intercommunal institution of Nantes, on one hand, and the *Région des Pays-de-la-Loire*, on the other. In this second part, we will also try to list the conditions for the cooperation and to draw some prospects for the future of city-region cooperation.

1. Horizontal and vertical cooperation in the French world of local government

1.1 The early concern for horizontal cooperation

One ought to be reminded that the French system of local government is a legacy of a revolutionary period. At that time, the 44 000 Church parishes were transformed into municipalities. After several waves of fusion, the number of municipalities was reduced to 36 700. Nearly a hundred *départements* were created to be the organizational basis of the central government's presence in the peripheries. It is important to bear in mind this revolutionary origin and to remember that local authorities were not particularly aimed at promoting some kind of "self government". They were rather viewed as tools to facilitate the control of the central government on peripheries and to enable the Spirit of Revolution to penetrate the rural remote parts of the country. It was not before 1884 that a Third Republic law recognized the principle of freedom of rule for communes – within the limits of national republican laws. It should be reminded that the mayor still has both the duty to defend the local community's interests and to ensure the development of this community, but also the duty to represent the authority of the central government³. As the Jacobin central State was quite mistrustful of big cities – but also following a pure Cartesian vision of the organization of the territory of the Republic -, it was decided that no distinction would be made between urban and rural areas. Both of them have the commune as organizational basis, and in both of these contexts communes have exactly the same status, duties and attributions.

As significantly, the *département* is not only the constituency of a specific elected assembly, the *Conseil général*, chaired by a *Président du Conseil Général*, but also the level at which the central State's representatives and field administrations, the *Préfet* and the *directions départementales*, are organized. The choice to organize the central government's field services at the *département* level was also inspired by the mistrust of the Jacobins and the then Republicans, but also the Counter-Revolutionaries of the potential threat posed by large cities. To limit the potential influence of cities in the *conseils généraux*, the setting-up of the constituencies, the *cantons*, has always over-represented rural areas and disadvantaged cities. From that time onwards, the *conseils généraux* have remained traditional strongholds of rural interests and conservative political formations. This situation has often unleashed harsh rivalries between the capital city of the *département* and the

³ If French mayors had forgotten this part of their duty, recent events have reminded them of this reality. A nationally famous Green mayor of a suburban town in the Bordeaux region has been suspended of his functions for one month by the Minister of the Interior for having illegally celebrated a wedding between two men.

conseil général, especially in the quite usual situation where the city was controlled by left-wing parties and the *conseil général* by right-wing parties.

The regions were created later and with a slightly different prospect by the central State. The 22 *régions* were created in 1972 as technocratic structures, *établissements publics régionaux*, aimed at mobilizing regional political and economic elites in implementing development schemes. They were created by Gaullist modernist technocrats to hi-jack the power of the *notables*, embedded in the *départements* (Béhar, Estèbe, 1999). The 1982 Decentralization Act transformed them into elected assemblies, chaired by the *Président du Conseil Régional* and afforded them competences in regional planning, regional transport infrastructure, economic development and the maintenance of secondary schools. In 1986, for the first time, the 22 regional councils were directly elected.

The creation of the densest network of municipalities in the Western world, the design of different levels of local and regional government aimed at counter-balancing each other are clear signs of the fact that, for a long time, cooperation between local governments has not been a matter of concern for the central government. On the contrary, competition was functional for a central State implementing the good old "divide and rule" strategy in order to achieve the political control of the territory. Actually, as far as cooperation, coordination and integration of different levels were concerned, the main concern of the central State was how to cop with peripheral resilience to central designed policies and how to adapt central States policies to local realities (Mabileau, 1985, 1994). Indeed, before the 1982 Decentralisation Act, the central State's main aim was to control and homogenize the national territory. In order to achieve this, it had political legitimacy and an almost integral monopoly of financial and expertise resources. But the State's field services civil servants were faced with *notables*, that is to say major politicians holding multiple offices, who were able to have access to central government and to curb the State's priorities according to local peculiarities or political interests (Crozier, Thoenig, 1975). Somehow, since problems were set up at the national level, since resources and policy designs were provided by the State, there was no need for horizontal or vertical cooperation between local politicians and institutions, just a need to articulate the State policy priorities with local realities and interests.

For a long time, this centre-periphery adjustment and cooperation has been ensured by the existence of what the most famous study on French local politics has called a "*Pouvoir périphérique*", a peripheral power (Grémion, 1976). How did this system work? On one hand, the aim of the French central State has always been to complete the construction of a homogeneous national space. The nationally designed policies and the State field administrations were efficient tools to achieve this goal. Powerful State civil servants tended to foster competition between local authorities and local politicians and to provide funds or facilities to the most cooperative or the most politically powerful among them. On the other hand, local politicians were not at all deprived of any resources to negotiate with the central State and its local representatives. With the system of the multiple office holding, a local politician was often likely to be as influential as a State field services chief executive. The prominent politician in a local area was able to influence national policy making, to curb the enforcement of a law in his constituency and to attract State investments. In this system,

horizontal cooperation was not only unlikely but also undesirable for the State officials and for the local *notables*. Competition guaranteed each of them the capacity to prevail in negotiations, to attract resources and to maintain their prominent position. At a more global level, this system has facilitated the linking of national priorities with local realities. This system also placed great emphasis on the political factor. Political influence and leadership capacity were major factors to attract investments and build good relationships with State administrations (Tarrow, 1977). As we will later show, this factor remains essential to understand the forms of cooperation and competition between local authorities.

The stake of the cooperation between local authorities emerged in the 1970s with the increasing urbanization and the rise of the Gaullist modernist administration at the national level (Thoenig, 1987). Created in the 1960s, the *Ministère de l'Équipement*, dominated by the civil engineers of the *Corps des Ponts et Chaussées*, and the DATAR (*Délégation à l'Aménagement du Territoire et à l'Action Régionale*) became central actors in urban policies and promoted the concern for horizontal cooperation and the implementation of urban policies at functional scales. In 1967, a new land-planning act was voted. It created a new supra-communal planning instrument: the *Schéma directeur*, meant to plan the development of large urban areas. In order to elaborate these documents, the central State's administrations decided to create inter-municipal cooperation institutions, the *Communautés urbaines*, instead of communes, in the largest regional capital cities. These were aimed at exercising important competences like urban planning, housing, environment, transports. Some cities accepted or were forced to accept the new structure, like Lyon, Lille, Bordeaux, Strasbourg, Brest and Dunkerque. Others managed to avoid it: Marseille and its mayor, the socialist godfather of the later Decentralisation Act, Gaston Defferre, refused it because it would have compelled him to be associated with communist ruled communes and thus, to dissolve his power; Nantes escaped the central decision, creating a rather informal association of communes, a forum of discussion without any legal competences, *l'Association Communautaire de la Région Nantaise*.

The second phase of intercommunal integration came much later and was initiated by a mix of bottom up initiatives and top-down incentives. After the 1982 Decentralisation Act, communes were faced with new responsibilities and increasing social and economic problems in large urban agglomerates. Later, in 1993, the opening of the European Single Market was a further incentive to association between communes willing to cope with an increasing inter-territorial competition. In some cities like Rennes or Nantes, a culture of cooperation, social learning in informal intercommunal commissions, a subtle political leadership enabled a spontaneous and progressive integration. Then, in 1999, a new law gave a decisive impulse to intercommunal cooperation. The Chevènement Act for the reinforcement and simplification of intercommunal cooperation reduced to three the different institutional formulas for cooperation: the *communautés de communes* are designed for rural and sparsely populated areas; the urban areas now have the choice between two types of institutions, the *communauté d'agglomération* and the already existing *communauté urbaine*. The first exercises less competencies but gets less State financial transfers; the second takes more competencies from the communes but gives access to a higher level of financial transfers from the centre.

These laws, and especially the 1999 one, gave a decisive impulse to intercommunal cooperation. Most of the French communes are now integrated in intercommunal structures. In large cities, urban, transports and housing plans must now be elaborated at the intercommunal level. All these elements have curbed competition inside urban areas and have given rise to new political spaces, even though the French local authorities were said to be reluctant to any transformation because of the embedded structure of the political interests of the *notables* (Baraize, Négrier, 2001). So what happened ? The financial incentives or the sanctions contained in the different laws cannot be hold as satisfactory explanatory factors. Some authors have tried to explain the rise of the intercommunal level through a "strategist" scheme : intercommunal structures serve the interests of dominant communes and their politicians, who have been able to extend their domination territorially (Gaxie, 1997 ; Le Saout, 2000). But they fail to explain how the dominated communes and mayors consented to "abdicate". Other more convincing authors place the emphasis on factors like local political culture and leadership (Baraize, Négrier, 2001). In some cities, the existence of a specific cooperative culture has been a facilitating factor for cooperation. In other cases, the presence of a transformational leader (Burns, 1978) has generated the opening of new spaces and new domains of cooperation that other actors have had to invest. Those explanations are seductive but notions like culture or leadership are too often used as *deus ex machina* to fill an explanatory gap with magical words. Even more satisfactory are the works that insist on the gradual institutional learning of cooperation that progressively led local actors to more institutionalized patterns of cooperation (Guéranger, 2001). Indeed, the gathering of communes in huge inter-municipal institutions raising their own taxes has been preceded by a daily cooperation into single or multiple attributions cooperation association (*Syndicats intercommunaux à vocation unique* and *Syndicats intercommunaux à vocation multiple*) that has created a common institutional culture habit of cooperation and a propensity to "think intercommunal", in brief a cooperative path dependence. Our position is very close to the last one but retains another vector for the construction of a cooperative culture. We do agree on the fact that the rise of intercommunal cooperation cannot only be explained through central incentives and injunctions, nor through narrow communal calculations and pursuits of interests. But rather than by local political culture, leadership or institutional path dependence, we hypothesize that the propensity for horizontal cooperation has emerged on the basis of the collective setting-up and tackling of common problems. Cooperation and integration into intercommunal structures is problem-driven. Problems and the way local actors tackled them came first, institutions were the secondary outcomes. Rather than a common institutional culture, cooperation has generated a common territorial culture, shared visions of the local space. We will try to exemplify this aspect with the example of Nantes.

Thus, in France, the cooperation stake has rather been constructed as a problem of horizontal cooperation. Bottom up initiatives, alongside with central incentives, have managed to create a culture of cooperation among communes.

1.2 The late emergence of the vertical cooperation stake

As it clearly appears, the French system of local and regional government has experienced drastic changes in recent years (Biarez, Nevers, 1993 ; Le Galès, 1995 ; Balme *et al.*, 1999). It has moved away from a long period of *status quo* characterized by institutional fragmentation, stability, resilience to changes, archaism for some observers (Thoenig, 1992), all of this with the complicity of the central State, who was eager to maintain a situation where generalized competition gave it a privileged position as a mediator. The current situation is rather made of fluctuation of borders, uncertainties about the attribution of each territorial level, rarefaction of resources and restructuring of the central State. All these phenomena, combined with the rise of strong inter-municipal cooperation institutions, have raised the problem of vertical cooperation, i.e. cooperation between authorities of different territorial levels.

A great impulse for the rise of the vertical cooperation stake came through the 1982 and 1983 Decentralisation reforms, although their effect did not appear straight away. These reforms affected the distribution of attributions between local and regional authorities. The attributions of Communes were extended to urban planning, local transports, housing, welfare, maintenance of primary schools and economic development. For larger cities, this was only the official recognition of a process launched during the 1970s, which saw urban administrations grow and develop their own technical expertise in fields like urban planning, housing policies and economic development (Lorrain, 1989, 1991). But the decentralization gave a further impulse to powerful urban governments.

In the years following the Decentralization Acts, the *départements* appeared as the other big winners of the reforms with the communes. The *Conseils Généraux* were afforded new attributions, in particular in the delivery of welfare services with consequent huge budget transfers from the State. In spite of this financial weight, the *départemental* level has been increasingly criticized. With the creation and reinforcement of the *Régions* and of powerful intercommunal structures, *départements* have increasingly been seen as the superfluous level in the French local system and some politicians are claiming the need to abolish them. Despite the fact that *départements* were created before the region, and in spite of the shift of designation –from *conseil général* to *conseil départemental*–, this level remains the most unknown among the citizens⁴. In an increasingly urbanized country, the *conseils généraux* tend to be seen as the remains of the old rural and conservative France. Similarly to what happened to the central State administrations, the *départements* welfare services are facing the competition of urban services in the largest cities' territories. As a result, some of them tend to concentrate their action in rural areas around big cities. This strategy has led to criticisms and doubts about the legitimacy of these institutions. The president of the national commission for a new phase of decentralization, Pierre Mauroy, president of the *Communauté urbaine de Lille* and former Socialist Prime Minister, publicly asked the

⁴ This is largely due to the voting system used to elect the *conseils généraux*. The duration of a *conseiller général*'s mandate is six years but each assembly is renewed by half every three years, which does not help citizens to identify the institutions.

abolition of this level. The critics of the *département* would like to see it replaced by urban and rural intercommunal systems covering the entire territory. Anticipating those critics, some *Conseils généraux* have tried to organize the constitution of inter-municipal bodies in rural areas, using the cantons, the constituency of *conseillers généraux*, as territorial basis for those bodies (Michel, 1999 ; Le Saout, 2000), in order to maintain a political control over those new institutions. A last sign of the crisis of the *département* level is the reorganization of an increasing number of State field administrations at the regional level.

The 22 regions were transformed by the 1982 Decentralization Act into elected assemblies and were afforded attributions in regional planning, regional transports, economic development and the maintenance of secondary schools. It took French regions a long time to become crucial political actors (Le Galès, Lequesne, 1997; Nay, 1997 ; Pasquier, 2004). For the reasons mentioned above, politicians have always preferred the mandate of *conseiller général*, which enabled them to have a more intimate relationship to their own constituencies and to manage large welfare funds. But the regional level is now one of the most legitimate institutions among French citizens. Several regions have experimented new policies in the domains of training, university and rail transport networks, thus gaining more influence. In 2000, a "*Commission pour l'avenir de la décentralisation*" advocated the reinforcement of the regional level. In his recent new Decentralization Act, the Raffarin government imposed a constitutional recognition of the Regions. The last regional elections in 2004 have slightly reinforced the visibility of the regional institution with the institutionalization of regional-level –instead of *départemental*- electoral constituencies. Despite their financial weakness, regions are now much more visible and legitimate institutions than *départements*.

The organizational design that the decentralization reforms have implemented is not as clear as the above description would suggest. It created redundancy and overlaps of attributions. Indeed, each territorial level was attributed a "general competence" on its constituency. This means that no formal limits were set to local and regional governments' initiatives. This situation creates potential incentives for competition between different levels. The actual distribution of attributions in different regions is often a matter of competitive adjustments between levels, according to the respective political weights of each institution and its leader, rather than the reflection of what the law or functional necessity would require. The implementation of EU structural funds policy is a good example of the variety of power balance from one region to another, and of the outcomes of these balances in terms of sharing attributions (Balme, Jouve, 1995 ; Duran, 1998a).

The other strong potential incentive for competition is the already mentioned emergence of strong intercommunal powers. The remapping of France with large intercommunal territories endowed with extensive resources has raised the problem of the influence and functionality of *départements* in these new spaces. The "metropolitan threat" to the *département* has been reinforced by recent innovations in urban planning. The 2000 planning act (*Loi Solidarités et Renouvellement Urbain*) created a new structural planning tool, the *Schéma de Cohérence Territoriale* (SCOT). This document is aimed at planning new infrastructures, new spaces for urbanization, transport, social housing at the metropolitan level. It is up to the communes or the intercommunal structures, when they are endowed

with a competence in urban planning, to decide on the perimeter of the SCOT. The *département* has no legal right to have its say in the matter. This issue is currently leading to epic disputes in several areas where the SCOT perimeter is either ignoring departmental borders, or is nearly overlapping the *département* territory. In the region of Nantes, Nantes and Saint-Nazaire intercommunal institutions are now planning to elaborate a common SCOT that would cover one third of the *département* territory. The re-evaluated legitimacy of regions is another threat to the *départements*. The regional institutions are increasingly invested by politicians and are becoming much more visible for citizens despite the congenital identity deficit that some of them encounter (like the region *Centre* or *Rhône-Alpes*). An increasing number of regions are claiming leadership on several dossiers like structural funds or airports and ports management. Some of them have managed to represent the interests of cities and *départements* in the contractual negotiations of funds transfer from the central government (Pasquier, 2002). These two new institutionalizing levels have a common interest in seeing the *départemental* level weakened. Thus, the cooperation between these two levels is a potential threat to the *département*.

Nevertheless, the new post-decentralization configuration of local government does not only bear promises of competition. It also holds strong incentives for cooperation. Firstly, this is because local and regional politicians are now more than ever accountable for the outcomes of local policies. It is increasingly difficult for them to shift the responsibility onto the State field services. Traditionally, the legitimacy of French local politicians was based on the input (their democratic election), and the outputs, i.e. policies, were the responsibility of the State. In the current situation, the source of the local politicians is twofold, based on the election and on the ability to implement policies (Duran, 1998b). Secondly, the French model of public policy making has radically changed (Muller, 1992). The central State is not the quasi monopolistic provider of expertise and financial resources it used to be. It has delegated the design of policy contents to local and regional governments (Béhar, Estèbe, 1998). It is only one of the funds providers for local policies (today, around 70% of public spending in France is made by local and regional governments). State field services have thus lost the ability to act as monopolistic mediators. Thirdly, with the pursuit of urbanization, territorial problems have become increasingly complex and thus require inter-sectoral treatment, the intervention of a plurality of territorial levels and the combination of a plurality of resources. Consequently, cooperation links have been stabilized on several matters such as transport, economic development or welfare, in which the cities, the *départements* and the regions share competences. These cooperation links take the shape of informal, regular, reciprocal consultation and adjustment, co-presence in semi-public societies (*Sociétés d'Economie Mixte*) or agencies chairing committees. Until now, there has not been any concern about the necessity to settle new tiers or new committees in order to stabilize these forms of collaboration. Informal and occasional cooperation seems to be accepted as the better way to operate in a country that has long been obsessed with the setting-up of institutions that would cope with functional territories. The case of the collaboration between the *Communauté urbaine de Nantes* and the *Région des Pays de la Loire* documents this conversion to informality.

2. A case study: Nantes and the Région Pays-de-la-Loire

In this section, we will firstly see how the collective tackling of territorial problems has progressively paved the way for an eventual institutionalization of a strong inter-municipal cooperation structure, the *Communauté urbaine de Nantes*. Secondly, we will examine how this process of institutionalization of a strong "*pouvoir d'agglomération*" has raised the question of the cooperation of this new organization with other levels of local and regional government. Here again, cooperation has stabilized along a gradual setting-up and tackling of common problems. Finally, we will identify the specific problems posed by this pattern of cooperation.

2.1 The gradual stabilization of a "*pouvoir d'agglomération*" in Nantes

A politically unstable and institutionally fragmented city at the end of the 1980s, Nantes has experienced a quick process of densification of horizontal cooperation links. This occurred through specific institutional arrangements that were putting problems first.

With 674 115 inhabitants in its urban area, Nantes is the seventh largest French city. It is located in the North-western part of France, at the mouth of the river Loire, and it is the capital city of both the département de Loire Atlantique and of the Région des Pays de la Loire. It is one of the French cities that have experienced the fastest economic and demographic growth in the past decade. A former industrial city, Nantes has succeeded in transforming its economic basis with a fast increase of the service sector. But before that, Nantes went through a long period of economic, social and political trouble, characterized in particular by a strong vertical and horizontal competition between local and regional authorities.

During the post-war period, the economy of Nantes was characterized by the strong presence of industries like shipbuilding, mechanical and food processing industries. Many of these industries were hit by the economic crisis in the late 1960s. During the 1970s and 1980s, the city underwent a drastic economic and social transformation, from a structure of industrial city to that of a service city. This transition caused political turmoil. The city council underwent three political control changes between 1977 and 1989. This political instability in the city was not compensated by the supra-municipal level. Actually, when communautés urbaines were created at the end of the 1960s, local politicians resisted the imposition by the central government of this new institutional formula, creating instead an associative structure for collective reflection, the Association communautaire de la région nantaise. As a result, the city has for a long time been a weak political actor. It was not before 1992 that an intercommunal structure raising its own tax was created: the district de l'agglomération nantaise.

Unexpectedly, during this period, the weakness of the city and metropolitan level was compensated by the exceptional strength of the region *Pays-de-la Loire*. This strength can be

explained by a political leadership factor. From its creation, in 1972, to 1998, Olivier Guichard, who was a prominent figure of the Gaullist movement, continuously chaired the *Conseil régional des Pays-de-la Loire*. He was one of De Gaulle's closest advisor and several times minister under his reign. He was also the creator and the first chairman of the DATAR. At the local level, he outrageously dominated the right wing political networks, including the successive presidents of the *Conseil Général de Loire-Atlantique*. He had the power to influence the appointment of *préfets* and he used to work very closely with the State's field administrations. As a result, he was the real mastermind of the economic redevelopment scheme for the whole region but more specifically of the economic restructuring of the Nantes area. He managed to attract public and private investments into the area and to develop alternative economic sectors.

At the city level, things began to change with the election in 1989 of the Socialist Jean-Marc Ayrault as mayor of Nantes. This was the starting point of a process of political stabilization, of the development of horizontal cooperation links and of the creation of a strong inter-communal institution. Breaking with a tradition of frontal political conflict, and taking advantage of the total disarray of the right after his first election, Jean-Marc Ayrault adopted a more consensual political style and succeeded in imposing his power. He was re-elected in 1995 and 2001 in the first round. The new mayor secured his power by showing his ability to implement policies and to carry on the restructuring of the local economy. In order to achieve this, he needed the support and collaboration of the other levels of local authorities. Even if the *conseil général* and the *conseil régional* were both controlled by right-wing parties until 2004, the mayor of Nantes was eager to preserve the cooperation links established by his right-wing predecessor. Thus, the cooperation on themes such as the development of the Nantes Science Park and the collective lobbying to attract new university structures was carried on. The presence of Guichard at the head of the regional council was favourable to this cooperation. The mayor of a seaside resort near Nantes, La Baule, Guichard has always proved to be in favour of the development of the regional capital, notwithstanding the colour of its political control. Ayrault knew that and was eager to stay on good terms with him.

The influence of this top-level political cooperation on lower level actors was just as interesting. The strong domination of Guichard on the local right led the right-wing mayors of the surrounding communes of Nantes to follow on the cooperative road, thus enabling the mayor of Nantes to reinforce the inter-communal cooperation. Indeed, Ayrault's other priority was to reinforce the intercommunal level. He started in 1992, transforming a simple consortium with several attributions into a new structure raising its own tax, the *District de l'Agglomération Nantaise*. In 2001, a new step was taken, the District itself was transformed, following the incentives of the Chevènement Law, into a *Communauté urbaine*, the most integrated formula of intercommunal integration, exerting attributions in urban planning, housing, transport, economic development, etc. Within less than ten years, Nantes has shifted from the loosest to the most ambitious form of intercommunal integration.

It is impossible to understand the institutionalization of inter-municipal cooperation without bearing in mind the kind of cooperation links that have been established inside the inter-municipal structures. These links are interesting because they are the same kind of

relationship model that have been developed to foster vertical cooperation between the city and the region. Basically, institutional integration, the formalization of cooperation devices did not occur prior to the development of cooperation practices. The formalization of cooperation through the creation of an intercommunal institution is the eventual outcome of cooperation practices and processes which were not meant to lead to this formalization of horizontal cooperation. We can hypothesize that, if cooperation had been enforced through a prior institutional building, if the intercommunal identity had been imposed to the communes' officials, cooperation routines would not have been stabilized.

In the case of Nantes, the stabilization of horizontal cooperation routines between the communes' representatives was obtained through the involvement of the latter in collective problem setting and decision making processes based on negotiation, the incremental construction of a consensus and a progressive mutual adjustment. The method used by the mayor of Nantes and his team to foster horizontal cooperation and intercommunal integration consisted in handling tactfully and preserving communal identity and mayors' legitimacy and authority. Cooperation should not be seen by the communes' officials as something imposed by the central and largest city acting as a coercive tier, but rather as the functional response to interdependencies and common interests discovered through collective work on concrete issues such as urban sprawl, transport, housing or environment protection. Thus, problems must come first ! And the issue of the creation of a new institution that would hold an increasing number of attributions and erode the communes' sovereignty and identity must be relegated to a position of secondary importance. This was obtained through several means.

First of all, the real locus of decision in the successive inter-municipal institutions was not the assembly composed of communal councils' delegates, but rather the "*bureau*", the committee gathering all the mayors, in which each one of them has the same power, whatever the demographic or economic weight of his commune or his political colour. In this bureau, the president of the inter-municipal structure, the mayor of Nantes, tried to avoid voting and to privilege negotiated agreements between mayors. Then every mayor took the chair of a thematic commission. Several objectives are achieved through these institutional artefacts: the political legitimacy of mayors and the sovereignty of communes are preserved, since decisions are the outcomes of inter-governmental bargains⁵ ; mayors, including those belonging to the inter-municipal opposition, are involved in the inter-municipal policy-making and get accustomed to inter-municipal vision and identity. Horizontal cooperation routines are thus stabilized and the spectrum of absorption by the dominating central city, Nantes, is exorcized by institutional artefacts which contribute to systematically depoliticize interactions. The inter-municipal council, the sole arena that would be likely to politicize policy issues, to dramatize political interactions and conflicts, is systematically marginalized in decision-making processes. The communes' representatives lack political legitimacy; being second level elected, they feel bound in the assembly by the agreements reached by their

⁵ An elected official of a suburban town of Nantes, controlled by the inter-municipal minority, told me during an interview : "the great thing with inter-municipality is that each commune's delegate remains a majority representative of one's commune".

mayors. Furthermore, the constitution of political groups is prohibited in order to keep an inter-governmental logic.

The evacuation of highly political themes such as the future institutional forms of inter-municipal cooperation has led to the increased recognition of the work on concrete issues. The more efficient ones in terms of developing cooperation routines have been the collective work on transport schemes and the development of a tramway system, the tram being the symbol of Nantes' dynamism. The other efficient tool in developing cooperation routines and an "inter-municipal conscience" was the launch of successive projects and city representations that helped build up common representations of the collective fate of the enlarged city. This collective work on problems has progressively socialized the communes' representatives to the idea that it is absolutely vital to preserve routines of cooperation. Without taking into account this problem-focused management of inter-communality, one cannot understand the impressive acceleration of the institutional integration of Nantes' agglomeration that led to the creation of the *Communauté urbaine de Nantes* in 2001.

From a very weak and fragmented collective actor, Nantes became a prominent actor at the end of the 1990s, able to build up and implement collective projects. The Region has now a partner to talk to. The rise of a metropolitan collective actor through the stabilization of horizontal cooperation networks was obtained by putting problems first. The progressive reinforcement of the inter-communal institution has certainly had a stabilizing effect on co-operation habits but institution should not be seen as a precondition to co-operation. The new political role of this strong "pouvoir d'agglomération" could have generated relationships of conflict with the other two levels of local and regional government. But the same kind of problem-driven cooperation devices has enabled local actors and institutions to overcome this risk.

2.2 The development of vertical cooperation

In our case, an horizontal cooperation device emerged, uniting, among others, two dominating actors : the successive inter-municipal structures of Nantes on one hand, and the *Conseil régional* of the *Pays-de-la-Loire* on the other hand. In a new context where the capital city has emerged as a strong collective actor, a cooperation with the regional level as an equal was now possible. Only the opportunity was missing. Surprisingly, it is the central government who provided this opportunity. During the 1990s, the central government launched a succession of prospective initiatives that gave the opportunity to raise new issues and to open new spaces for dialogue between local authorities.

First, the central administrations have done a lot to create the notion of a Metropolis uniting Nantes and Saint-Nazaire. It was a first step towards the idea of a city-region scale. In 1965, the State gathered the port authorities of the two cities in a centrally controlled single structure: the *Port autonome de Nantes-Saint-Nazaire*. In 1966, the DATAR granted the unit formed by these two cities the status of *Métropole d'équilibre*, designed to host new functions in order to counter the power of Paris. The State also created in 1967 a technocratic structure in order to elaborate the structural plan (*Schéma directeur*) of the newly born

metropolis: the *Organisme d'Etudes et d'Aménagement de l'Aire Métropolitaine* (OREAM). The *Schéma directeur* was elaborated in 1970 and, if its provisions quickly proved obsolete due to the 1970s crisis, it had the merit to durably settle the notion of metropolis in the local officials' mind.

In the 1990s, the State initiated new prospective devices. In 1993, the DATAR initiated the *Charte d'objectifs* procedure. It was aimed at inciting city-regions to define economic development and positioning strategies in the new context set by the opening of the European Single Market. In 1994, Nantes and Saint-Nazaire signed one of the few *Chartes d'objectifs* with the State. Then, in the largest context of a national policy for the environmental regeneration of the River Loire (*Plan Loire Grandeur Nature*), the State launched a wide consultation on the specific topic of the Loire's mouth area: the *Programme concerté d'aménagement, de développement et de protection de l'estuaire de la Loire*. This procedure was the very first opportunity of a durable collective work uniting all the different institutional levels of the region. Within around 40 workshops, it was the opportunity to address topics related to environmental protection and economic development. The main outcome of the procedure was the recognition of three collective stakes for the region: the necessity to increase the part of higher added value activities in the estuary, to further the international opening of the area and to exploit and enhance the environmental quality in this prospect. In order to achieve this, the treatment of the River Loire's ecological imbalance was seen as essential, and particularly the problem of the lowering level of the river in Nantes.

The result of the PCADPEL has been useful for a further prospective initiative, the *Directive Territoriale d'Aménagement*. Theoretically, this procedure is aimed at listing the priorities of the central government on a specific territory in terms of infrastructures, urban sprawl control and protection of the environment. But in the case of Nantes, this procedure turned out to be a vector for the reinforcement of a local coalition, including Nantes intercommunal structure and the region as leading institutions, but also the *département*, the intercommunal structure of Saint-Nazaire, the port authority and the Chamber of Commerce, and the setting of development objectives by this coalition. That is the main output of all those procedures. Even if they were launched by the central government, rather than being tools for the imposition of State's prerogatives and objectives in the area, they were the opportunity to develop strong links between the intercommunal structures of Nantes and Saint-Nazaire, the region and, to a lesser extent, the *département*, although it remained in a weaker position. Along these procedures, a territorial coalition built up.

Thus, reflecting the way strong cooperation devices emerged at the intercommunal – horizontal- level, cooperation links emerged vertically between different tiers of government –mainly Nantes' intercommunal structure and the region- on the basis of the collective tackling of concrete issues. Here again, institutional building did not precede cooperation. Cooperation mainly stabilized using ephemeral procedures around specific issues. Nevertheless, the territorial coalition that arose from those cooperation links nestled in a specific organization. But this organisation is an original structure, it is a private law association called the *Association Communautaire de l'Estuaire de la Loire* (ACEL). This local structure enabled authorities to stabilize durable cooperation links and to develop a

collective voice, and it reduced the risks for the cooperation to be formalized. ACEL was born on an occasion that is totally unrelated to the reasons for its "rebirth". It was first created in the mid-1980s as the *Association pour le Développement des Entreprises de l'Estuaire de la Loire* by the president of the Chamber of Commerce of Nantes in order to attract inward investments and to enhance the industrial suppliers' system in the area. At the beginning, it gathered the Chambers of Commerce of Nantes and Saint-Nazaire and the managers of the largest industrial plants in the area. Transformed in ACEL, it was then joined in the beginning of the 1990s by the cities of Nantes and Saint-Nazaire. The structure was appointed by the two cities to lead the diagnosis and write the proposal leading to the signature of the *Charte d'objectifs* with the DATAR. The association was reinforced and became a strong locus of expertise on the issues concerning the estuary, thanks to the appointment of Marc Leroy, a recognized expert in environmental issues. Then, joined by the *Conseil général de Loire-Atlantique* and the *Conseil régional des Pays-de-la-Loire*, ACEL became a legitimate interlocutor for the elaboration of the PCADPEL. At that point, it became the locus for the production of common views shared by the different local authorities and for the making of common claims to the State.

In the early 1990s, the State-controlled port authority announced unilaterally its intention to enlarge the oil refinery plant of Donges, near Saint-Nazaire. This decision provoked sharp reactions, not only from environmental activists, but also from local authorities, which demanded to know more about the ecological consequences of such a project. ACEL was appointed to lead some studies on this topic. After five years of studies, it appeared that the project would not worsen dramatically the state of the estuary. Nevertheless, this period of continuous study and expertise provided the opportunity to raise numerous environmental and economic stakes regarding not only the two cities of the estuary, but the whole region: the lowering level of the river, the works needed to raise this level on different parts of the river. These problems were actually concerning the entire region. That way, the Loire became a link between all the institutions represented in ACEL, and ACEL itself the place of production of a local shared knowledge about the river and of production of a local consensus.

Here, the cooperation did not start from a clear intention to coordinate action, nor through the launch of a common predetermined project. In fact it was built gradually through the progressive discovery of common stakes and interests. Neither was cooperation the outcome of the build up of an *ad hoc* institution. Actually, when the common stakes and interests were discovered, the association, which at first was only appointed to lead studies, became a locus for frequent meetings and for the construction of a common voice before the State and its local representatives.

Eventually, at the end of the process, local actors and institutions agreed on several elements. The cities of Nantes and Saint-Nazaire, the region and the *département*, the chambers of commerce and the local business associations agreed on the necessity to enlarge the oil refinery and the port facilities. But they also put pressure in favour of the launch of important works for the regeneration of the river. They also built up a coalition in order to back the construction of a new airport in Nantes, and the improvement of the railway network in the region. ACEL also became the place where local leaders made

common claims and prepared their common lobbying for the negotiation of the *Contrat de Plan Etat-Région*, the five years term negotiation between the State and local authorities, where the State's investments and policies on the territory are planned.

The most striking thing about the Nantes case is that, through the collective tackling of the problems of the River Loire, local authorities have discovered and built up common concerns and interests. Indeed, the river has become the linking material object connecting different problems, revealing the positions of different actors, the different interests and the potential alliances around a growth-centred project. The Loire has become a vector of linkage and coalition between local authorities. ACEL became a common tribune enabling local authorities to put pressure on the port authority and its central tutelary administration to develop the links between harbour activities and the local economy.

The great asset of this problem-driven and project-driven cooperation is that it is based on relationships patterns where collective problems and the answers to these problems arise progressively and are not imposed by one of the cooperator or an external tier. Here, the cooperation is not imposed as the right way to act and decide by a coercive tier providing the issues to tackle (the State for instance), nor by an *ad hoc* institution requiring different actors to interact on a regular basis. The need to cooperate in tackling collective problems becomes apparent through a gradual and voluntary process of construction of collective problems. It is the very existence of a game, in the Goffman sense, between the individual actor and the cooperation institution, the possibility to avoid the interaction or to decide what the cooperation is about, to negotiate the meaning given to cooperation, that are incentives for cooperation. On the contrary, the imposition of a new formal structure of collaboration and of new formal norms for action could provoke defensive behaviour among actors, and drive them to see a threat to their institutional interests and identities in the new scale of action. The existence of a game is guaranteed by the fact that the cooperation is not bound by formal institutions and obligations. That is why the existence of a light structure like the ACEL association is precious. It can be invested and disinvested at any time; different aims can be assigned to it. It can be left alone for a while. Somehow, cooperation seems more efficient when the cooperation device provides the possibility of exit strategies for the different actors involved.

Problem-driven cooperation devices within light structures enable the co-existence of identities and interests of existing institutional scales – communes, *département*, region – and of the new one – inter-municipal structure, regional coalition – that gradually emerges from cooperative interactions, collective prospects and continuous political bargains. These cooperative interactions enable the creation of what D.C. North (1990) calls "informal constraints", norms, cognitive frames, rules and routines that, in a subtle way, institutionalize a new scale for common action. But to be efficient, these constraints should not exist initially, before the interactions. Their efficiency is linked to the way they are gradually built. New scales for problem building, new norms of behaviour and new objectives for collective action are discovered in this process, rather than them being set at the beginning of the cooperation.

2.3 The dark side of cooperation

Cooperation is certainly fruitful on many occasions. It avoids overlapping, inefficient inter-institutional competition, it enables to coordinate public policies in different sectors, to swap experiences and promotes social learning. Nevertheless, cooperation raises a number of questions.

The first question is about the dependence of cooperation practices on electoral cycles and politicians' career strategies. Even if our case study of Nantes gives a strong incentive to overcome narrow strategic approaches to inter-institutional cooperation when coping with French local policies, and to take into account the impact of phenomena like the rise of multiple uncertainties and interdependencies in policy making (Callon *et al.*, 2001), the development of interdependencies between authorities after the Decentralisation process, the need for local officials to get identity and cognitive reassurance in cooperative processes (Giddens, 1991) and the ability of the process itself to shift interests, representations and identities to understand the recent push for cooperation, we should not elude the constant weight of political cycles and political competition in the French system. In our case, at the beginning of the 1990s, Olivier Guichard, the Gaullist president of the *Région* since 1972, is the dominant politician at the local level with no challenger, neither on his own side nor on the left. At this time, he is also a senior figure about to retire from political life (which he will finally do in 1998). The cooperation between Nantes and the *Région* is also due to the fact that, even if the socialist Jean-Marc Ayrault is a potential high profile politician, there is no real competition between both men, but rather a reciprocal respect. The two men are in two different phases of their political career and this element can partly explain the relationship of partnership between the two major institutions that developed at this time. Since then, the situation has partly changed. In 1997, after the anticipated national legislative elections and the appointment of Lionel Jospin, Ayrault became the leader of the Socialist group in the national parliament and became thus a national political figure. Meanwhile, the Gaullist François Fillon became in 1998 the new president of the *Région des Pays-de-la-Loire*, after Guichard retired. This new conjuncture has worsened the cooperation between the city level and the region for several reasons. Firstly, Fillon is the former president of the *Conseil général de la Sarthe*, a *département* in the eastern part of the region, and he has brought his team with him at the head of the regional executive. Consequently, the regional policy objectives do not seem to be as favourable to the Nantes area as they used to be under the reign of Guichard. Secondly, Fillon belongs to the same generation as Ayrault and has also been promoted as a national political figure in the past few years. He has been successively minister of social affairs and minister of education of Raffarin's government. Between 1998 and 2002, it seems that the cooperation level between the two institutions has lessened. As a consequence, ACEL has been almost forgotten. However, the 2004 regional and departmental elections could give a new impulse to cooperation practices. For the first time in history, left wing parties coalitions have indeed conquered both the *conseil régional* and the *conseil général de Loire-Atlantique*.

The second problem is strictly speaking a democratic one. Indeed, the prerequisites for a good cooperation seem to be the following: corridor bargaining within informal

organizations, informal mutual adjustment, incremental decision making, avoidance of the resort to voting, protection of the cooperative interactions from public scrutiny and marginalization of inter-municipal assemblies. In a context where an increasing number of decisions regarding territorial issues usually involve several institutions, these decisions must be taken through inter-organizational, even inter-governmental negotiations that often imply secrecy and informal bargaining. Currently, the formal institutions which are politically responsible and which remain the most visible for citizens, like city councils, seem to be more and more marginalized in the territorial policy making. Thus, inter-institutional cooperation at the territorial level tends to accelerate a phenomenon of subversion of the representative democracy through the development of *huis clos* or *in camera* deliberative devices (Elster, 1998). Formal councils seem to be reduced to powerless arenas where a pretence of "adversarial politics" comedy is still played, but which only deal with secondary topics (Mansbridge, 1980). Currently, policy innovations are achieved through inter-institutional cooperation, a more pragmatic, bipartisan, collaborative form of collaborative policy making emerge but the fuel for those interactive and collaborative devices seems to be their democratic opacity.

Thirdly, the forms of inter-institutional cooperation that we observed in Nantes tend to exclude some groups from the negotiation. Indeed, in the Nantes case, even if the cooperation is bipartisan, the consensus between local authorities on economic development and environmental stakes has clearly been built through the exclusion of environmental activists. The consensus around pro-growth objectives is definitively an elitist one even if it is bipartisan.

Conclusion

We could have expected that the solution to the high degree of institutional fragmentation and political competition which characterized the French system of local and regional government would have come from the central State imposing from above highly institutionalized forms of cooperation to quarrelling local politicians. Instead of that, cooperation practices have been stabilized rather gradually, through experimentation, through collective problem setting and solving and through loosely institutionalized and depoliticized organizations. These loosely institutionalized forms make cooperation possible because they are a good way to handle tactfully existing institutional and political interests, to associate innovation in terms of *policies* and conservation in terms of *politics*. Our case shows that, if "electoral politics", inter-institutional conflicts, rivalries between leaders remain important factors to understand French local politics and policies, these factors are not incompatible with cooperation and the build up of common visions and interests. Thus, we agree with Baraize and Négrier (2001 ; see also Sawicki, 2003) when they assert that factors like inter-institutional rivalries, electoral strategies, conflicts between leaders should not be over-estimated when dealing with relationships between local and regional authorities. Other factors should also be taken into account, like the weight of uncertainties, functional interdependencies, the scarcity of resources, cognitive needs for collective visions, which constitute strong incentives for cooperation.

Another important explanatory factor to understand cooperation is the transformation of the position and the role of the State in local politics and policies. When the State was the central provider of expertise, policy making and resources at the local level, it exonerated local politicians and institutions from having cooperative relationships between each other. Being one actor among others of the local policy making, providing diminishing amounts of resources, it now indirectly prompts local and regional authorities to set up and tackle problems collectively and to articulate their own resources between each other. The central State also plays a central role, as our case study shows, in providing prospects and prospective schemes that lead local and regional actors to discover the intertwining of problems and interests and that enable the institutionalization of collective action (Duran, Thoenig, 1996). Unexpectedly, the French central State seems to have implicitly accepted the idea that the implementation of a "hard" institutional frame is not a compulsory prerequisite to cooperation.

Finally, we would like to draw an unexpected comparison between what is currently happening in France at the local level and what is happening at the European Union level. In both cases, if cooperation is to be stabilized, it must be done along informal, diplomatic, almost secret interactions, in brief in an inter-governmental manner. This inter-governmental pattern of relationships rightly takes into consideration pre-existing political and institutional identities, thus making cooperation possible. But in this configuration, the price to pay for cooperation is opacity and democratic deficit. We must point out that, in both cases, the democratic deficit is functional (Négrier, 2001), the stakes not being publicized enough and the "dedramatization" of political interactions make cooperative behaviour an acceptable option for political actors.

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